

09-07-04

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FISH &amp; RICHARDSON P.C.

Substitute Form PTO/SB/30 (5-03)

**Request  
For  
Continued Examination (RCE)  
Transmittal**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/139,386
Filing Date	August 25, 1998
First Named Inventor	Joseph A. Monforte <i>et al.</i>
Group Art Unit	1637
Examiner Name	Joyce Tung
Attorney Docket Number	17082-074001 (24736-2060)

**This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. §1.114**

- a. ☐ Previously submitted.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Return Receipt Postcard

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fee** The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any fees, including the following fees, or credit any overpayments, to Deposit Account No. 06-1050. A duplicate of this sheet is provided.
- i. ☒ RCE fee required under 37 CFR 1.17(e) – large entity: \$770
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) – large entity: \$950
- iii. ☒ Other Any deficiencies
- b. ☒ Check in the amount of \$ 1720 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Name (Print/Type)	Stephanie Seidman	Registration No. (Attorney/Agent)	33,779
Signature		Date	September 2, 2004

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated below in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

"Express Mail" Mailing Label Number: EV 399316602 US

Name (Print/Type)	Stephanie Seidman	Date	September 2, 2004
Signature			

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770.00 DP



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Joseph A. Monforte *et al.*      Art Unit : 1637  
Serial No. : 09/139,386      Examiner : Joyce Tung  
Confirmation No.: 5243      Customer No.: 20985  
Filed : August 25, 1998  
Title : **OLIGONUCLEOTIDE SIZING USING CLEAVABLE PRIMERS**

**PRELIMINARY AMENDMENT AND REQUEST FOR CONTINUED  
EXAMINATION PURSUANT TO 37 C.F.R. §1.114**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In connection with the filing of a Request for Continued Examination (RCE) of the above-captioned application, consideration and entry of the following amendment and response, responsive to the Final Office Action, mailed March 3, 2004, are respectfully requested.

**Amendments to the claims** are reflected in the listing of the claims which begin on page 2 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.

09/07/2004 SDENBOB1 00000098 09139386

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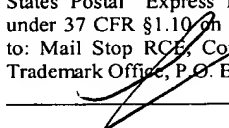
950.00 0P

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Stephanie Seidman